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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/261,017	03/02/1999	HEIKKI KOKKINEN	915.333	7220
4955	7590	10/22/2003	EXAMINER	
WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP BRADFORD GREEN BUILDING 5 755 MAIN STREET, P O BOX 224 MONROE, CT 06468			BOAKYE, ALEXANDER O	
		ART UNIT		PAPER NUMBER
		2667		/D
DATE MAILED: 10/22/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/261,017	KOKKINEN, HEIKKI	
	<b>Examiner</b>	<b>Art Unit</b>	
	Alexander Boakye	2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM  
 THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 18 August 2003.

2a) This action is FINAL.                  2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1,3-11 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) 7 is/are allowed.

6) Claim(s) 1,3-6 and 8-11 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
 If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
 a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)                  4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)                  5) Notice of Informal Patent Application (PTO-152)  
 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.                  6) Other:

1. Applicant's request for reconsideration of the finality of the rejection of the last office is persuasive and, therefore, the finality of that action is withdrawn.

*Claim Rejections - 35 USC § 103*

2. Claims 1, 3, 4 and 6-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi et al. ( US Patent # 6,205,148) in view of Ohanian et al (US Patent # 6,122,287 ).

Regarding claims 1, and 4, Takahashi discloses a method for establishing a signaling connection (column 5, lines 66-column 6, lines 1-4 ) with a terminal (column 8, line 2, the IP user of Fig. 11 corresponds to the claimed terminal) in a central unit ( column 6, lines 54-56; ARP/NHRP server reads on the claimed central unit) of a communication system (Fig. 11), the terminal and central unit comprising a signaling unit ( the signaling unit is resident in the ARP/NHRP server) . Furthermore, Takahashi teaches that signaling is started using a signaling unit ( column 3, lines 13-14 ) in the central unit (column 6, lines 54-56) that supports the same signaling protocol as the terminal (column 7, lines 3-9) ; a message is sent from the central unit to the terminal, indicating the signaling protocols supported by the central unit (column 3, lines 15-27 ).

Takahashi further discloses in response to an answer message sent by the terminal indicating the terminal's selection for signaling protocol, a connection is established between the central unit and the central unit's signaling unit, that supports

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the signaling protocol chosen by the terminal (column 3, lines 21-27 ) and a point-to-point signaling connection is established between the central unit and the terminal using the signaling protocol selected by the terminal ( column 3, lines 21-27) terminal.

Takahashi discloses all the subject matter of the claimed invention with the exception of a network interface. However, Ohanian from the same or similar fields of endeavor teaches network interface (column 7, line 7). Thus, it would have been obvious to an artisan at the time of the invention to incorporate a network interface as taught by Ohanian in the communication network of Takahashi in order to provide network access. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate network interface such as the one taught by Ohanian in the communication network of Takahashi with the motivation being that it provides capability for the network to transmit and receive messages from the resource modules and provides access to the telephone network.

Regarding claim 3, Takahashi discloses that the message contains a code for signaling protocol support and an associated value which is a binary number and in which each bit represents a particular signaling protocol (column 9, lines 20-45).

Regarding claim 6, Takahashi teaches establishing a signaling connection with a Central unit (column 6, lines 54-56; ARP/NHRP server reads on the claimed central unit) in a terminal (column 2, line 2 ; IP user of Fig. 11 corresponds to the claimed terminal) of a communication system (Fig. 11 ). Furthermore, Takahashi discloses signaling unit (the signaling unit is resident in the ARP/NHRP server) Characterized in that it comprises steps in which in response to a message sent by the central unit

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indicating the signaling protocols supported by the central unit (column 3, lines 15-27 ), an answer message is sent from the terminal's interface indicating the signaling protocol selected by the terminal when the terminal supports a signaling protocol in the message (column 3, lines 21-27 ).

Takahashi discloses all the subject matter of the claimed invention with the exception of a network interface. However, Ohanian from the same or similar fields of endeavor teaches a network interface (column 7, line 7). Thus, it would have been obvious to an artisan at the time of the invention to incorporate a network interface such as that of Ohanian in the communication network of Takahashi in order to provide network access. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a network interface as taught by Ohanian in the communication network of Takahashi with the motivation being that it provides capability for the communication network to transmit and receive messages from the resource modules and provides access to the telephone network.

Regarding claims 8, 9 and 10, Takahashi discloses a central unit (column 6, lines 54-56 ; ARP/NHRP corresponds to the claimed central unit) in a communication system (Fig. 11), comprising a signaling unit (the signaling unit is resident in the ARP/NHRP server) characterized in that it is equipped so as to use in a signaling connection with a terminal (column 8, line 2; IP user of Fig. 11 corresponds to the claimed terminal) of the communication system at least one signaling protocol, to which end it comprises means for indicating to the terminal the signaling protocols supported by the central unit (column 3, lines 21-27).

Furthermore, Takahashi teaches means for receiving from the terminal an indication about the capability of the terminal of supporting a particular one of the signaling protocols the central unit indicated to the terminal (column 3, lines 23-27 ) and means for setting up a signaling connection , using a selected signaling protocol between the central unit and the terminal (column 6, lines 39-56 ). Takahashi does not disclose a network interface.

Takahashi discloses all the subject matter of the claimed invention with the exception of a network interface. However, Ohanian from the same or similar fields of endeavor teaches a network interface (column 7, line 7). Thus, it would have been obvious to an artisan at the time of the invention to incorporate a network interface such as that of Ohanian in the communication network of Takahashi in order to provide network access. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a network interface as taught by Ohanian in the communication network of Takahashi with the motivation being that it provides capability for the communication network to transmit and receive messages from the resource modules and provides access to the telephone network.

Regarding claim 11, Takahashi discloses that the communication system characterized in that it is a multiple access network in which the physical connection between the central unit and the terminals is optical fiber (see Fig. 6 ).

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takahashi et al (US Patent # 6,205,148) in view of Ohanian et al. (US Patent # 6,122,287) and further in view of Gellhaus et al. (US Patent # 6,034,949).

Regarding claim 5, Takahashi discloses by means of communication according to the MAC protocol layer between the central unit and the terminal, information is created about the signal protocol supported by the terminal (column 3, lines 21-27). The combination of Takahashi and Ohanian does not disclose cc protocol layer signaling protocol. However, Gellhaus discloses cc protocol layer signaling protocol (column 5, line 46; see Fig. 2). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate cc protocol layer signaling protocol such as that of Gellhaus in the combination of Takahashi and Ohanian in order to provide establishment of call connection between the central station and the terminal. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the cc protocol layer signaling protocol into the combination of Takahashi and Ohanian with the motivation being that it provides call connection between the terminal and the central station, thus enhancing efficiency.

***Allowable Subject***

3. Claim 7 is allowable.

The following is a statement of reasons for the indication of allowable subject matter: Claim 7 is considered allowable because the prior art of record does not teach the method being further characterized in that in response to a situation in which a change message sent by the central unit indicating the signaling protocols supported by the central unit after a change causes a conflict, a message is sent to the central unit including a code for signaling protocol support and an associated value which is a

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binary number and in which each bit represents a particular signaling protocol and in which the bits that represent protocols that cause a conflict are set.

***Response to Arguments***

4. Applicant's arguments with respect to claims 1 and 3-11 have been considered but are moot in view of the new ground(s) of rejection.

**Conclusion**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Boakye whose telephone number is (703) 308-9554. The examiner can normally be reached on M-F (from 8:30am to 6:pm ).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on (703) 305-4378. The fax number is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 305-4750.

Alexander Boakye

Patent Examiner

AB  
10/17/03

  
CHI PHAM  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600 10/20/03